

Exhibit V

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CASE NO.: 4:22-CV-00519-HEA

TAIWAN DICKERSON and KIM
KING-MACON, each individually
and on Behalf of All Others
Similarly Situated,

Plaintiffs,

vs.

CENTENE MANAGEMENT COMPANY, LLC
and CENTENE CORPORATION,

Defendants.

_____ /

ZOOM VIDEOTAPED DEPOSITION OF

TIFFANY RUSSELL

Wednesday, March 27, 2024
10:06 a.m. - 3:06 p.m.

VIA VIDEOCONFERENCE

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2

I N D E X

3

WITNESS

PAGE

4

TESTIMONY OF TIFFANY RUSSELL

5

Direct Examination by MS. STORCH

6

6

Certificate of Oath

181

7

Certificate of Reporter

182

8

9

E X H I B I T

10

Defendant's Exhibit Description

Page

11

Exhibit 26 Copy of the interrogatories and the
request for production

15

12

Exhibit 27 Responses to the request for

17

13

admissions

14

Exhibit 28 40 pages of documents produced

18

15

Exhibit 29 Offer letter

20

16

Exhibit 30 HRIS file

23

17

Exhibit 31 Calendar invites

51

18

Exhibit 32 Expense report

82

19

Exhibit 33 Swipes into the building

85

20

Exhibit 34 Pay stubs

96

21

Exhibit 35 Time records

100

22

Exhibit 36 Time edits

101

23

Exhibit 37 TruCare records

104

24

Exhibit 38 Time records

120

25

Exhibit 39 Accommodation paperwork

128

1	Exhibit 40 Summary of TruCare records	155
2	Exhibit 41 First amended substituted complaint	165
3	Exhibit 42 Declaration of Tiffany Russell	165
4	Exhibit 43 Consent	178

5

6

7

8

9

10

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12

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1 Russell," it has your employee ID number, your
2 position; does that all look accurate?

3 A. Yes.

4 Q. It says your hire date is September 17th,
5 2018, and your date when your employment ended --
6 your termination date is March 22nd, 2021; does that
7 look accurate?

8 A. Yes. Yes.

9 Q. All right. When you started at Centene
10 you received policies regarding proper timekeeping;
11 is that correct?

12 A. Yes.

13 Q. Did you receive training on proper
14 timekeeping policies?

15 A. Yes.

16 Q. And you were aware that employees were
17 supposed to report all time in the timekeeping
18 system accurately, correct?

19 A. Yes.

20 Q. Did you understand that employees are
21 prohibited from working off the clock according to
22 policy at the company?

23 A. Yes.

24 Q. Are you aware that company policy
25 prohibited managers from discouraging employees to

1 All right. Can you see the employee
2 handbook on the screen, Ms. Russell?

3 A. Yes.

4 Q. Did you receive a copy of the handbook
5 when you started your employment with Centene?

6 A. Yes.

7 Q. You had access to it; was it on a system
8 called CNET, do you recall that?

9 A. It was on CNET, yes.

10 Q. Okay. All right. So let me -- on page 5
11 of the handbook -- I don't know if you -- can you
12 see these?

13 A. Yes.

14 Q. Okay. That you are -- it just talks about
15 being familiar with the policies. Sorry. It's
16 page -- it's this page 5. Employees are expected to
17 know and abide by Centene policy outlined in the
18 handbook and on CNET, do you see that?

19 A. Yes.

20 Q. And you had agreed to comply with all
21 policies --

22 A. Yes.

23 Q. -- as stated in your offer letter as well?
24 Okay. I'm going to turn to page 15 of this
25 particular exhibit. Fifteen of the handbook, I

1 guess, it's 19 of the PDF. It talks about nonexempt
2 employees. It says, "Nonexempt employees must
3 report all time worked and not work any time that is
4 not authorized by their supervisors"?

5 A. Yes.

6 Q. And it also says, "When exempt employees
7 receive their paychecks, they should verify
8 immediately their working time was recorded
9 accurately, they were paid correctly. Discrepancies
10 should be reported immediately," do you see that?

11 A. Yes.

12 Q. And it also talks about employees who are
13 classified as nonexempt must accurately record the
14 time they work each day, including arrival,
15 departure and meal break times and record actual
16 time in real time using the automated timekeeping
17 systems; this punch is entered as soon as possible,
18 do you see that also?

19 A. Yes.

20 Q. It says, "Nonexempt employees must
21 complete time records each day and may not rely on
22 the automated timekeeping system to populate their
23 time sheets, and employees who submit time sheets
24 with system-generated time may be subject to
25 discipline," do you see that?

1 A. Yes.

2 Q. All right. Did you understand all these
3 policies in the handbook that you received?

4 A. Yes.

5 Q. Did you ever report any discrepancies to
6 payroll in accordance with this policy that we just
7 went over?

8 A. No.

9 Q. It also goes on to say, "It's a violation
10 of the company's policy for anyone to instruct or
11 encourage another employee to work off the clock, to
12 incorrectly report hours worked or to alter another
13 employee's time records," do you see that?

14 A. Yes.

15 Q. "If any employee's directed or encouraged
16 to incorrectly report hours worked or to alter
17 another employees' time records, they should report
18 the incident immediately to a supervisor or the
19 local HR business partner," did you understand that
20 policy?

21 A. Yes.

22 Q. It also -- this policy on this page also
23 says, "That managers of nonexempt employees must
24 approve the time sheets in keeping payroll deadlines
25 and are prohibited from directing or encouraging

1 employees to inaccurately report time, fail to
2 report time and fail to manage employees who don't
3 follow timekeeping policies. Managers are required
4 to manage people who don't follow timekeeping
5 policies and they're prohibited from changing or
6 altering time and are subject to discipline if they
7 do so," do you see that on this paragraph?

8 A. Yes.

9 Q. Did you understand that policy as well?

10 A. Yes.

11 Q. Okay. All right. You said you received
12 training about reporting -- about timekeeping and
13 proper recording of time, correct?

14 A. Yes.

15 Q. You know that you were supposed to record
16 all time worked, correct?

17 A. I know that, yes.

18 Q. Okay. You know that it was prohibited --
19 that employees were prohibited from working when
20 they weren't clocked in, correct?

21 A. Yes.

22 Q. All right. I am going to -- you received
23 training about reporting all hours that you worked,
24 correct?

25 A. Yes.

1 Q. And you received training on how to use
2 the timekeeping system that was in place at Centene?

3 A. Yes.

4 Q. What was the name of the timekeeping
5 system that you used?

6 A. I can't -- I don't recall.

7 Q. That's okay. It's been a long time.
8 Okay.

9 A. May have been Citrix.

10 Q. Okay. and in your role as a care
11 coordinator, what were your duties and
12 responsibilities?

13 A. To advocate for our members, to do IEP
14 plans, visits, quarterly visits, speak with our
15 members at least once a month. If we received
16 anything that -- if it was time for their annual
17 Medicare renewal, we have to remind them of that and
18 call Optum and make sure they were -- that they were
19 scheduled for that and they got their assessments.

20 Q. Okay.

21 A. Help with any -- provide any resources
22 that they may need, provide resource information if
23 they were -- to let them know about community
24 resources available. Try to empower members to
25 advocate for themselves and empower them to be able

1 went to visit the member.

2 Q. How often would you say that happened
3 where you had to document when you got back from a
4 member visit?

5 A. Each time.

6 Q. There was annual reviews each time that
7 you were documenting?

8 A. No. Annual reviews were once a month, but
9 we had 70 members, so those annual reviews never
10 stopped. You were always doing a review on someone.
11 Everyone's year didn't start at the exact same time.

12 Q. So are you saying that you didn't ever --
13 you were never clocked in for over 40 hours in a
14 week?

15 A. There were times -- if I had it approved,
16 I was -- that I did.

17 Q. So you did sometimes document when you
18 were clocked in, correct?

19 A. Yes. Yes.

20 Q. How many times were you documenting when
21 you weren't clocked in?

22 A. At least twice a week. Two or three times
23 a week, yes.

24 Q. How often do you think you got approval
25 for overtime?

1 but she was on another aisle and Taiwan was across
2 the hall -- across the aisle, to the left of me
3 somewhere in there. So we weren't sitting by each
4 other. Everyone had their own private cubicle area.

5 Q. So did you know anything about the hours
6 that Mr. Dickerson or Ms. King-Macon were working?

7 A. No. I had my own issues.

8 (Thereupon, the calendar invites was
9 marked as Defense 31.)

10 BY MS. STORCH:

11 Q. So you've already talked about that you
12 received training about proper time entry and the
13 policies related to the proper entry of time. I'm
14 going to introduce an exhibit right now. Sorry.
15 This is going to be Exhibit 30 -- no, it's not.
16 It's going to be Exhibit, I believe it's 31. Hold
17 on. 31.

18 All right. I am going to share my screen.
19 I'll blow it up also so you can see it better. All
20 right. This is Exhibit 31. And let me blow it up,
21 because it's really small.

22 All right. It says "redacted," that's
23 other people's names that we redacted. You see the
24 date it says, sent 1/25/2021 by Terrie
25 Fain-Holloway, Ms. Holloway -- of Fain-Holloway is

1 your supervisor, correct?

2 A. Correct.

3 Q. And this looks like it's a calendar
4 reminder. It says to start on 1/1/2021, end on
5 1/2/21, and recurs on every Friday, correct?

6 A. Yes.

7 Q. This is a reminder to Ms. Fain -- is it
8 Fain or Fain-Holloway?

9 A. I don't know.

10 Q. Okay. Ms. Fain. Reminder to the team to
11 review time sheets each Friday, check for
12 exceptions, make corrections daily, same day or
13 following day make the corrections, acknowledge and
14 submit the time sheet and let her know if you're
15 working late on Friday or on the weekend; do you see
16 that?

17 A. Yes.

18 Q. Did you receive these reminders every
19 Friday about accurate timekeeping and letting her
20 know about any exceptions to your timekeeping?

21 A. Yes.

22 Q. I'm going to go to the second page of that
23 exhibit, which is from 2020, the same thing; it's a
24 recurring reminder about submitting exceptions to
25 your time sheet, letting her know if you're working

1 late and then it says remind her if you're working
2 late, and it says, "Ultimately your time sheet is
3 your responsible," you see that?

4 A. Yes.

5 Q. Did you receive these from Ms. Fain --

6 A. Yes.

7 Q. -- calendar reminders about proper
8 timekeeping?

9 A. Yes.

10 Q. I'm going to keep scrolling down. These
11 look like -- they look like they're duplicates, but
12 this is from 2021 that you received it every Friday?

13 A. Yes.

14 Q. This is 2020 that you received every
15 Friday starting at the beginning of the year. These
16 are -- it looks like more duplicates.

17 So do you remember having these
18 discussions with Ms. Fain about accurate timekeeping
19 and reporting any exceptions or inaccuracies about
20 your time card to her on a weekly basis?

21 A. Yes.

22 Q. Did you talk about this in your team
23 meetings?

24 A. Yes.

25 Q. All right. There's a note down here.

1 other than Terrie about your employment at Centene?

2 A. No. I don't remember --

3 Q. You can't --

4 THE STENOGRAPHER: I'm sorry.

5 Q. -- going to --

6 THE STENOGRAPHER: I'm sorry. I didn't
7 hear the end. You said, "No, I don't
8 remember," and then I didn't catch what you
9 said.

10 A. I don't remember reporting it to anyone or
11 bringing it up to anyone.

12 BY MS. STORCH:

13 Q. Okay. And you said in one of your
14 interrogatories that you said you complained to the
15 Arkansas labor board. What did you complain to the
16 Arkansas labor board about?

17 A. After I was terminated, I felt like --
18 after coming back from my accommodations -- I felt
19 once my accommodations were over, that's when I
20 was -- that's when I was fired, so I did complain to
21 them about it.

22 Q. What did you complain about?

23 A. Just felt like -- what was the complaint?
24 More of the fact that I felt like maybe because I
25 was -- had to have accommodations, that I didn't get

1 a fair -- I didn't get fair treatment.

2 Q. Did you ever complain about your pay to
3 the Arkansas labor board?

4 A. No.

5 Q. Did you ever complain about your hours at
6 the Arkansas labor board?

7 A. No. Not that I remember. That was my
8 complaint to them.

9 Q. It was the accommodation issue?

10 A. If I remember correctly.

11 Q. You also said that you said Terrie Fain
12 also told you that she didn't want you working off
13 the clock, correct?

14 A. No, I didn't say that.

15 Q. Okay. I'm going to pull up your
16 interrogatory answers.

17 A. I don't remember saying that.

18 Q. I'm going to share my screen. It's
19 Exhibit 26, Interrogatory Number 3. So it says,
20 "Identify any claim, complaint, charge, grievance
21 concerning defendants, any complaint to defendants
22 concerning the subject matter of the lawsuit."

23 Okay. So then after the objection, which
24 is the legal objection, you say, you tried to make a
25 complaint with the Arkansas labor board, but didn't

1 Q. How did she communicate to you that you
2 needed to log off?

3 A. She would call me or she would IM.

4 Q. IM --

5 A. On the computer.

6 Q. -- on the computer?

7 A. Uh-huh.

8 Q. You said you know of one time that it
9 happened and there may have been other times. What
10 are the specific days and times that that occurred?

11 A. I don't have those dates and times.

12 Q. How many times would you say that
13 occurred?

14 A. A lot.

15 Q. A lot, is that more than two?

16 A. Three.

17 Q. More than three.

18 A. More than three.

19 Q. Less than ten, less than five?

20 A. I don't know. It was a lot of times. At
21 least three to seven. Three to seven hours,
22 sometimes, a week over.

23 Q. I'm saying how many times did she contact
24 you while you were working and tell you to log off?

25 A. At least once a week, once or twice a

1 improvement plan, correct; is that why you were
2 terminated?

3 A. Yes.

4 Q. For failing to meet your metrics?

5 A. Yes.

6 Q. You never mentioned pay when you were
7 terminated; is that correct?

8 A. No.

9 Q. Did you ever --

10 A. That's correct.

11 Q. Okay.

12 A. I didn't mention it.

13 Q. You didn't mention it. When you were put
14 on the three PIPs that we went over just a few
15 minutes ago, they -- at least one of them included
16 discussions about proper timekeeping, correct?

17 A. Yes. That's when the agenda was started
18 where I'd write down or -- in the system we could
19 write down -- you could document what you needed --
20 not document, but like set yourself a note of things
21 you needed to do for the next day and check those
22 off as you go -- that was part of my time
23 performance review -- and check off those things.

24 A lot of times that stuff didn't get
25 marked -- get done because if we had a meeting

1 2019 from May 2019 until COVID hit?

2 A. At least two or three times a week.

3 Q. A week?

4 A. If I had -- say, like, I went to Alma and
5 then I went to -- even around this area, North
6 Little Rock or something, once I made it home, I
7 would document. So maybe two or three times a week.

8 Q. And you'd document that in the system, the
9 TruCare system?

10 A. Yes.

11 Q. Okay. Any other occasions that you would
12 work after 5:00 p.m. besides those that you just
13 mentioned?

14 A. If -- I remember one Sunday I had some --
15 I was like I need to finish this up before the new
16 week starts and I remember working on a Sunday one
17 time.

18 Q. Okay.

19 A. Trying to do --

20 Q. Sorry.

21 A. Trying to update a plan.

22 Q. Did you clock in for that Sunday?

23 A. No, just documented it.

24 Q. Did you let your supervisor know you were
25 working that Sunday?

1 A. No.

2 Q. On the times where you came back from the
3 members' houses and documented because you didn't
4 have internet access, did you let your supervisor
5 know you were documenting after you got home?

6 A. If it was approved -- an approved time.

7 Q. Say that one more time.

8 A. If it was an approved over -- like,
9 overtime, then I would. If I let her know ahead of
10 time that I was going to be over my hours, then I
11 would let her know.

12 Q. You would clock in -- or stay clocked in?

13 A. Stay clocked in.

14 Q. Otherwise, you didn't let her know?

15 A. I didn't let her know --

16 Q. Okay.

17 A. -- if I didn't get it approved.

18 MS. STORCH: Okay. I know you need a
19 break, so I'm going to mark that and we'll just
20 continue where I'm leaving off right now after
21 the break. How long do you need?

22 THE WITNESS: A good ten minutes.

23 MS. STORCH: Okay. So it's 1:01. You
24 want to give us 1:15? That will give a little
25 bit of extra time.

1 Q. You see at the top it says period
2 beginning 5/12/2019, do you see that?

3 A. Uh-huh.

4 Q. All right. It's 50 pages, but I'm happy
5 to scroll through. If you have a computer, you have
6 access to these exhibits. It might be easier for
7 you to see them that way. But I'm happy to keep
8 doing what we're doing if that works for you.

9 A. This works.

10 Q. Okay. All right. So these are the pay
11 stubs. I will scroll through. If you want me to
12 slow down, just let me know.

13 A. Can you slow down a little bit?

14 Q. Okay. Sorry. Yeah. All right. Were
15 your pay stubs an accurate statement of what was
16 paid to you?

17 A. What was paid, yes.

18 Q. And is it an accurate statement of the
19 hours that you worked on these pay stubs?

20 A. No.

21 Q. Okay. When you got your pay stubs, did
22 you review them to make sure they were accurate?

23 A. Yes.

24 Q. Okay. And did you ever find discrepancies
25 with your pay stubs?

1 A. I don't remember, but I don't think so,
2 though.

3 (Thereupon, the time records were marked
4 as Defense 35.)

5 BY MS. STORCH:

6 Q. All right. I'm going to introduce another
7 exhibit, which are your time records. This is going
8 to be Exhibit 35.

9 Okay. This is another Excel spreadsheet,
10 but I'll try to scroll over. I haven't fully
11 figured out how to make it bigger. Okay. Let me
12 share my screen.

13 All righty. Can you see the spreadsheet?
14 It's your timecards from May 13th, 2019, and I will
15 scroll down to the end, which is March 2021 at the
16 end. You see those?

17 A. Uh-huh.

18 Q. Okay. This is so -- are these time
19 records accurate when you clocked in and out?

20 A. Yes.

21 Q. Okay. And you were able to edit your own
22 time; is that correct?

23 A. I think so, yes.

24 (Thereupon, the time edits were marked as
25 Defense 36.)

1 BY MS. STORCH:

2 Q. I'm going to introduce Exhibit 36, which
3 is time edits. Okay. You see the edits for this --
4 this is for the time period May 2019 to March of
5 2021, there -- it shows when you clocked in, if
6 someone changed it. The user entered is when
7 someone has modified the time, the clock post looks
8 like when you were clocking in. And, of course, I'm
9 not sharing my screen. So thank you. I forget to
10 hit that last button.

11 Okay. So these are the time edit records
12 for the May 2019 to March 2021. So there were
13 numerous times you missed punches and you let your
14 supervisor know that she needed to make edits,
15 correct?

16 A. Uh-huh. Or let her know that I was going
17 change -- what I was doing.

18 Q. So if you let her know that you needed to
19 make an edit and what the edit needed to be, she
20 could make that edit for you, correct?

21 A. Or she knew that I was making it.

22 Q. So you could edit your time to make sure
23 it was accurate, correct?

24 A. Uh-huh. I would have to let her know.

25 Q. Are you aware of any time your supervisor

1 changed your time without your permission?

2 A. Well, she -- I don't recall.

3 Q. So you're not aware of any time she did?

4 A. No.

5 Q. Okay. Are you aware of any time your
6 supervisor made any changes that were different than
7 the information you provided to her about the
8 changes that needed to be made?

9 A. No.

10 Q. Okay. So the user in Column D, that has
11 the employee number, correct?

12 A. Yes.

13 Q. You see that. You're 250021, correct?

14 A. Yes.

15 Q. Okay. I can let you know that Terrie Fain
16 was 265742, because that was in the HRIS records,
17 and then Christy Kelly is 247736. So like, for
18 example, here Christy Kelly was, it looks like,
19 updating time for 5/17, which is right here. You
20 clocked in and then it looks like you either forgot
21 to clock in or forgot to clock out for lunch and so
22 she was able to update that, do you see that?

23 A. Yes. Like when I got ready to clock out
24 for lunch, it didn't take and so that's when I asked
25 her --

1 Q. So she was able to correct it?

2 A. Uh-huh.

3 Q. Okay. The user entered indicates that
4 someone is manually doing that, correct?

5 A. Correct.

6 Q. On 5/15, for example -- all right. You
7 clocked in at 10:08 a.m., it looks like from the
8 clock post, and then it looks like Ms. Kelly said
9 you clocked in at 8:00 a.m. to correct that,
10 correct?

11 A. Correct.

12 Q. So she was actually adding time because
13 you had made a mistake when you clocked in?

14 A. Yeah. I let her know, Hey, this -- yeah.

15 Q. Why would you clock in at 10:08 instead of
16 8:00 if you were working at 8:00?

17 A. At 10:08, I don't know why it's like that.

18 Q. Okay.

19 A. I don't know. It's a long time ago.

20 Q. All right. So, again, on 5/17, it's just
21 an example of being able to modify.

22 A. Yeah. We were in close proximity to each
23 other as well, so it could have been, Hey, you
24 didn't get here at this time. Maybe I was going to
25 take a lunch -- I don't know how -- I really don't.

1 Q. So in this particular case on 5/17, it
2 looks like there was a user, which was your
3 supervisor, was doing some -- it looks like you
4 clocked out at 5:00, but hadn't clocked in, so it
5 looks like she went in and corrected that, added a
6 clock-in time, a lunch time and then a clock-out
7 time; does that look accurate to you?

8 A. Yeah.

9 (Thereupon, the TruCare records were
10 marked as Defense 37.)

11 BY MS. STORCH:

12 Q. Okay. All right. So I'm going to
13 introduce another exhibit, which are TruCare records
14 for you and this should be Exhibit 36 -- 37, I'm
15 sorry. I'll share my screen.

16 So the TruCare notes -- I think we were
17 talking about this system earlier, about how you
18 logged everything you did on behalf of members,
19 correct?

20 A. Yes.

21 Q. Like D is schedule face-to-face or have a
22 face-to-face. So these dates are in 2019. I'm
23 going to scroll up to the beginning. So it starts
24 May of 2019, do you see that line right there? It
25 looks like, for example, you did an outbound call,

1 A. Yes.

2 Q. What type of accommodations, do you
3 recall?

4 A. Time off if I needed it off. If I needed
5 to clock in at a later time due to my illness, that
6 I could clock in. If I needed to clock out, that I
7 could clock out.

8 Q. Anything else?

9 A. And then I think it was something like --
10 I'm not really sure. I can't remember the
11 paperwork. Where if I needed a day -- maybe I
12 wasn't full -- I don't remember if I was back full
13 40 hours. I can't remember.

14 (Thereupon, the accommodation paperwork
15 was marked as Defense 39.)

16 BY MS. STORCH:

17 Q. Okay. So I'm going to show you your leave
18 paperwork -- or your accommodation paperwork, I'm
19 sorry. Maybe this will -- we can talk about what it
20 says. So this looks like it was in July of 2020
21 when this was approved, correct?

22 A. Yes.

23 Q. So you had a continuous leave through 7/6
24 it looks like, correct?

25 A. Yes.

1 Q. And then they approved you for
2 intermittent leave unscheduled, which was up to four
3 days per month, correct?

4 A. Uh-huh.

5 Q. And then it looks like it's in place from
6 7/7/2020 until 1/7/2021, does that look correct?

7 A. Yes.

8 Q. And you were just supposed to report if
9 you were going to be out for your intermittent leave
10 and your job was modified at this point. And they
11 reduced your caseload from 50 cases a month to 35
12 cases a month, do you see that?

13 A. Yes.

14 Q. So that was in place, too, in July. That
15 modification was in place from 10/23 -- I'm sorry,
16 until 10/23/2020, to be reevaluated at that time.
17 And then in addition to the reduced caseload, you
18 also had a break schedule. Can you tell me about
19 the break schedule that was in place that's noted
20 here?

21 A. If needed, I could use those break
22 schedules to -- during the daytime. So for a 15
23 break -- I think, it's 15 minutes, I didn't have to
24 clock out, so they broke it up into those.

25 Q. Okay. So you didn't clock out for any of

1 these breaks that you took, they were just kind
2 throughout the day, intermittently?

3 A. If I needed, yes.

4 Q. What would dictate whether you needed a
5 break?

6 A. If I had a flare-up of some sort.

7 Q. What does a flare-up mean?

8 A. From my illness.

9 Q. What was your illness specifically?

10 A. I had a stroke.

11 Q. Okay.

12 A. And -- I had COVID and then I had a stroke
13 a few days later. After getting better from COVID,
14 I had a stroke.

15 Q. Okay.

16 A. So caused me to have some anxiety. So if
17 I were feeling anxious, then I would -- I was -- I
18 was -- with the accommodations, I could take a
19 break.

20 Q. Okay. And did your doctor talk about,
21 like, your work schedule? I know you could have a
22 day, an average of a day week, so four days a month
23 to be out on intermittent leave if you needed it,
24 correct?

25 A. I believe so, yes.

1 Q. Okay. Did -- could you -- it looks like
2 you had to take breaks during the day if you needed
3 them or were supposed to or could, does that mean
4 you were extra tired during the day? What drove
5 whether you would take a break or not?

6 A. I was extra tired sometimes. I was still
7 sick, so, like, still in pain, things like that.
8 Medications sometimes would have me where I couldn't
9 work a full day.

10 Q. Okay.

11 A. Or need to take a break during that time.

12 Q. Is that why they gave you a reduced
13 caseload because you couldn't work as much?

14 A. Right. Yes.

15 Q. So if you had 50 cases a month and they
16 reduced your caseload by 30 percent, because you had
17 15 less cases than you had before, correct?

18 A. Correct.

19 Q. All right. So you could work from home,
20 but it sounds like that was already in place because
21 COVID was upon us, correct?

22 A. Uh-huh. Yes.

23 Q. And then you got a noise-canceling
24 headset. Are there any other accommodations that
25 were discussed during this particular time frame?

1 Q. So when you were -- when you got the
2 accommodation -- it looks like it was renewed again.
3 Do you remember that, when you went through the
4 renewal process for the accommodation?

5 A. Yes.

6 Q. Okay.

7 A. I --

8 THE STENOGRAPHER: I'm sorry. What did
9 you say, ma'am?

10 A. I said I vaguely remember it, but I know I
11 had accommodations for a while. For a while.

12 BY MS. STORCH:

13 Q. All right. So on this document, it's --
14 the accommodations are in place 7/23/2020 to 2021
15 for the work from home through 1/7/2021 for the
16 flexible schedule, which you can adjust your
17 schedule and flex it no more than five hours a week.
18 And then the accommodation for the breaks is in
19 place through January 2021, and then the reduced
20 caseload from -- until 10/23/20 and reevaluate it at
21 that time, you see that?

22 A. Yes.

23 Q. And then it looks like it was discussed
24 again and your 35 caseload continued, correct, in
25 conversations with your supervisor?

1 A. I think it increased by then. I'm not
2 sure, but I think it did. I don't remember.

3 Q. You don't remember. Okay. So this is
4 another accommodation letter for you, which says,
5 the leave accommodation is still in place from
6 January 8th to July 6th, 2021, which is up to five
7 days instead of four days each calendar month for
8 the flare-ups, do you see that?

9 A. Yeah. I had more doctor appointments. I
10 can remember having more doctor appointments in
11 that, yes.

12 Q. Okay. Did you take those five days
13 generally or the four days per month of intermittent
14 leave that were available to you?

15 A. Yes.

16 Q. Okay. Then you had another -- a modified
17 break schedule that added a break from 4:00 to 4:10,
18 do you see that?

19 A. Yes.

20 Q. There's one, two, three, four breaks
21 instead of the three, and lunch, and that
22 accommodation was in place until 7/6/2021 and then
23 you had the flow charts and laminated items,
24 correct?

25 A. Correct, yes.

1 A. Yes.

2 Q. During the time of your accommodation,
3 which started in July of '20, is it accurate that
4 you weren't working after you clocked out?

5 A. No, if I was -- if -- after I clocked out?

6 Q. Yeah.

7 A. Repeat.

8 Q. I'm not saying that you didn't work past
9 5:00, because you did work past 5:00 on some of
10 those days. But you clocked out and you didn't
11 continue working after your accommodations started;
12 is that accurate?

13 A. I clocked out and I didn't continue
14 working.

15 Q. So after your accommodation started in
16 July 2020, once you clocked out for the day, you
17 didn't continue working, correct?

18 A. Sometimes I did.

19 Q. On what occasions would you do that?

20 A. If I felt like I had gotten behind.

21 Q. How many times would you say you did that?

22 A. Maybe once or twice a week.

23 Q. One to two times a week when you were
24 being accommodated with a reduced schedule and extra
25 breaks?

1 A. Scared of my losing my job.

2 Q. But your supervisor didn't know that you
3 were continuing to work, correct?

4 A. No; and when she did, she would ask me to
5 log off.

6 Q. Okay. What made you afraid of losing your
7 job if your accommodations were in place and you
8 weren't -- you know, you had a modified schedule, et
9 cetera?

10 A. I had been off so long, you know, from
11 being sick, I was just worried -- I always worried
12 about my job. I wanted to kind of prove myself that
13 I could do the -- still do the job.

14 Q. Were you able to keep up with the reduced
15 caseload of 35 cases per week -- I mean, per
16 month -- I'm sorry, 35 case members, I guess, that
17 would be a caseload, correct?

18 A. Yes. But I had to work extra hard, the
19 brain takes longer to heal. You know, I had to
20 realize that it, so it took me longer to do things.

21 Q. Okay. I'm going to show you your pay
22 stubs. These are your pay stubs that we've seen
23 before, which is Exhibit 34, and I'm going to scroll
24 through and you can see right -- I'll show you --
25 like in this line, it says overtime 2.5 hours, do

1 you see that? Can you see? Is that big enough?

2 A. Yes.

3 Q. Okay. So if I scroll through all of these
4 pay stubs, which is from the middle of April 2019 to
5 the end of your employment, it looks like you were
6 paid overtime in almost every -- in about 26 of the
7 pay periods. Do you see that?

8 I'll keep scrolling, so here's another
9 overtime. Page 8 has overtime. Page 9 has
10 overtime. Page 10 has overtime. Eleven has
11 overtime. Twelve has overtime. Thirteen has
12 overtime. Fourteen has overtime.

13 This has holiday pay and vacation pay,
14 this pay stub, so it looks like there's no overtime
15 there. This pay stub has overtime. That paystub
16 has overtime. That paystub has overtime. The pay
17 stub before that had sick time of 12 hours, so it
18 has no overtime, that one. This pay stub has
19 overtime. This pay stub has overtime. This pay
20 stub has overtime. This pay stub has overtime.

21 Then it looks like you were on
22 holiday/sick vacation and leave so you were not
23 getting any hours for these times. And then you're
24 back and right when you came back, you had some
25 overtime.

1 Again, the next week you had overtime.
2 And then you were only working 71 hours, 70 hours,
3 holiday time, so you didn't have overtime that pay
4 period. Overtime in September of 2020, and then
5 again in October, vacation on this time period and
6 then vacation and holiday, must have been the
7 holidays, that was Thanksgiving and overtime in this
8 pay period in December and then no time -- that's
9 the end of the year. And then holiday time in this
10 one.

11 More overtime in January 2021, you had
12 some sick and holiday time then, and then more sick
13 time and vacation time, regular time. And so that
14 was all the pay stubs that we have.

15 Would you agree that you had overtime in
16 26 -- or a majority of the pay periods in May 2019
17 to March 2021 time frame?

18 A. Yes.

19 Q. All right. We're going to look at the
20 TruCare records again. All right. For the TruCare,
21 you said that you would -- where did you do the
22 documentation? What device did you use for TruCare?

23 A. Chromebook.

24 Q. Okay. All right. So the TruCare activity
25 show all the contacts with the members, correct?

1 A. Yes.

2 Q. So you were saving the time on the drive
3 and the meeting with the members in person. What
4 were the extra responsibilities you had after COVID
5 hit?

6 A. A lot of calling. A lot of calling. A
7 lot of -- had a lot of special projects.

8 Q. Okay. Is that the special project that
9 you described to me, that DHS?

10 A. That, and finding resources for members,
11 kids are home, no food, finding -- locating,
12 verifying those resources were accurate so members
13 could actually use them. It takes -- that's
14 time-consuming.

15 Q. So COVID hit in March 2020 and then you
16 worked for that month and then for some of April and
17 then went on leave. So you were gone some of April,
18 May, June and then you were back in July and then
19 you had a reduced caseload, correct?

20 A. Yeah.

21 Q. So with that reduced caseload, wouldn't
22 that make your necessity to work -- wouldn't that
23 reduce your hours needed to work because you had 35
24 cases -- or members?

25 A. After having a stroke, you're not able to

1 Okay.

2 How did you learn about the lawsuit
3 against Centene?

4 A. When I called -- when I called the -- what
5 do you call it? Not Better Business Bureau. When I
6 called about my -- who did I call? You mentioned it
7 earlier. I can't remember right now. The labor
8 board. When I had called the Department of Labor,
9 they suggested that I call.

10 Q. Who?

11 A. Sanford Law Firm.

12 Q. The Labor Board suggested that?

13 A. Yeah. They said there were already --
14 once I called and I was expressing what happened,
15 they told me that there were already cases out for
16 Centene and I was shocked. And then I -- to find
17 that out. And then that's when they told me that
18 there were other open cases.

19 Q. They told you to call the Sanford Law
20 Firm?

21 A. They didn't tell me to. They told me that
22 that's what other people had done.

23 Q. Okay. And have you ever seen a video on
24 your attorney's website about Centene?

25 A. No. But I have been on the website. I

1 that would put me -- that would be a time where I
2 couldn't say, Hey, I'm having to work a little over.

3 Q. Okay. So you would just stay clocked in
4 or clock your time and get paid for that, correct,
5 in those circumstances?

6 A. Sometimes.

7 Q. Did you communicate with anyone during
8 your breaks today?

9 A. No.

10 Q. Okay. Did anyone come into your house
11 when you were giving your deposition testimony?

12 A. No. A butterfly. That's it.

13 Q. I don't think the butterfly really cares
14 about the deposition. All right.

15 Do you have any documentation regarding --
16 whether it's like a calendar entry or scrap of piece
17 of paper or anything of that nature, do you have
18 anything where you kept track of any time that you
19 are saying that you worked when you weren't clocked
20 in?

21 A. Unfortunately, I threw all that away, so,
22 no.

23 Q. What was it that you had?

24 A. Just times that I knew I had worked over,
25 but I just didn't let her know.

1 Q. Okay. How did you keep track of that?

2 A. Just had a legal pad, I kept everything on
3 there.

4 Q. When did you throw that away?

5 A. Had to have been -- I don't remember when
6 I threw it away. I don't remember.

7 Q. Okay.

8 A. But at some point when I was throwing away
9 those -- because I had everything -- I had to have
10 everything secure because it was PHI. So maybe when
11 I threw that I way, I probably accidentally threw it
12 away.

13 Q. Was it more than a year ago that you threw
14 it away?

15 A. It was more than a year ago, yes.

16 Q. How long after your employment ended did
17 you throw it away?

18 A. When I hadn't heard anything else about
19 the case, I threw it away.

20 Q. Say that one more time.

21 A. When I hadn't heard anything else about
22 this case, then I threw it away. I didn't think
23 anything was going to come of it, so I threw it
24 away.

25 Q. Was it after you signed your consent form

1 to join the lawsuit?

2 A. Yes. That would have been -- yeah. Had a
3 new job and just kind of thought it -- nothing was
4 going to happen from it, so threw it away.

5 (Thereupon, the consent was marked as
6 Defense 43.)

7 BY MS. STORCH:

8 Q. Okay. So I'm going to look -- you signed
9 your consent form to join this lawsuit -- I'm going
10 to pull it up now so you can see it as Exhibit 43.
11 I'm going to screen share.

12 Can you see that? Does it say "consent to
13 join collective action"?

14 A. December 2022. Yeah. So I started
15 working in -- after I started working somewhere
16 else, I called before I -- before I started working,
17 I called to see if anything was going on with the
18 case, and I was told no.

19 MR. SHORT: Hold on.

20 A. So I just --

21 BY MS. STORCH:

22 Q. You don't tell me what you talked about --
23 sorry -- with your attorneys. That's -- you don't
24 have to tell me what you talked about. I'm just
25 curious in -- when did you start your other job?

CERTIFICATE OF REPORTER

STATE OF FLORIDA

COUNTY OF BROWARD

I, DAWN SCOTT, Stenographer, do hereby certify that I was authorized to and did stenographically report the foregoing Zoom videotaped deposition of TIFFANY RUSSELL; pages 1 through 182; that a review of the transcript was not requested; and that the transcript is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 3rd day of April, 2024.



DAWN SCOTT, STENOGRAPHER